(1) SINGLE BENCH (4)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

WRIT PETITION No. OF 2005

PETITIONER :-

Manoj Kumar Shukla, aged about 39 years, son of Alp Narayan Shukla, occupation: Shiksha Karmi Gr.II, resident of Bhatapara, dist.Raipur (C.G)

5935/05 Shailesh Ahuja P.R.No. 16/11/05

Vs.

RESPONDENTS :-

1. State of Chhattisgarh:through Secretary, Panchayat Department, Raipur(C.G)

2. State of Chhattisgarh:through Secretary, School Education Department, Raipur(C.G)

3. Chief Executive Officer,Zilla Panchayat ,Raipur (C.G)

4. Chief Executive Officer,Zilla Panchayat, Bilaspur(C.G)

5. Principal,Government Higher Secondary School, Arjuni, Vikas Khand Baloda Bazar, dist.Raipur (C.G)

6. Principal, Government Higher Secondary School, Lalpur, Vikas Khand Gorela, Dist.Bilaspur (C.G)

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WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDI

(41)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION NO.5795 OF 2005

Petitioner : Manoj Kumar Shukla

Versus

Respondents : State of Chhattisgarh and others

Present : Mr. Dhirendra Mishra, counsel for the petitioner.
Mr. Utkarsh Verma, Deputy Government Advocate for the State/respondents No.1, 2, 5 and 6.
Mr. Vinay Pandey, Advocate appears on behalf of Mr. Arun Sao, counsel for respondent No.4.
None appears for respondent No.3.

ORDER
(Passed on 28th Day of February, 2007)

The petitioner impugns the order dated 19-08-2004 (P-1), whereunder no objection certificate granted by order dated 4-6-2004 was stayed.

2. No stay order was granted by this Court in this matter. The impugned order dated 19-08-2004 (P-1) might have been given effect to.

3. This matter pertains to transfer of the petitioner, who was working as Shiksha Karmi Grade-II, from Government Higher Secondary School, Arjuni, Block Baloda Bazar, District Raipur to Government Higher Secondary School, Lalpur, Block Gorela, District Bilaspur.

4. At this point of time, there is no question to examine the validity of the impugned order dated 19-08-2004 (P-1). However, the respondents are at liberty to pass appropriate orders keeping in view the public interest and administrative exigency, without insisting on compliance of the impugned order.

(42)

5. With the passage of time, the writ petition has become infructuous. However, if any cause of action arises in future, the petitioner seeks liberty of this Court to make a proper representation before the competent authorities, to which learned counsel appearing for the State/respondents No.1, 2, 5 and 6 has no objection.

6. Thus, the writ petition is dismissed as having become infructuous with the above-stated liberty. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal